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SUBJECT: BURLINGTON NORTHERN SANTA FE (BNSF) CORRIDOR IN EAST KING COUNTY: PROJECT UPDATE AND NEXT STEPS

STAFF CONTACT: Diane Carlson, CMO; Kim Becklund, Transportation

POLICY ISSUE: For several years, Council has communicated a strong interest in having the BNSF Eastside rail corridor preserved for future transportation purposes. The corridor was recently purchased for public benefit. Council has provided policy direction concerning the BNSF right-of-way as expressed in the July 17, 2006 BNSF Corridor Preservation Project Interest Statement and a letter to then King County Executive Ron Sims dated March 6, 2007 (**See attachments 1 and 2**). Given the location of the corridor, directly east of downtown, and other transportation projects adjacent to and near the corridor, the City has a policy interest in the future use of the existing corridor. On May 24, King County staff will provide Council an overview of upcoming work intended to inform future uses of the corridor.

**DIRECTION
NEEDED FROM
COUNCIL:**

While the presentation is intended to be informational, key questions for Council's consideration are: (1) What is the timing of any decision concerning the transportation use or uses of this corridor; (2) How might Bellevue best participate in the decision-making process going forward and what is the best structure for decision-making; (3) What is the sequence of work that might be completed to best inform these decisions; and 4) What key interests should be included in an updated BNSF Interest Statement.

BACKGROUND:

Project History

The BNSF's rail corridor includes approximately 42 miles of rail corridor segments that extend from the northern vicinity of Gene Coulon Memorial Beach Park in Renton to the City of Snohomish (this includes an 8 mile spur from Woodinville to Redmond).

In late 2003, the BNSF Railway indicated to the Washington State Department of Transportation (WSDOT) that its economic review of trends and freight activity along a regional rail corridor it owns in east King and south Snohomish counties showed marginal and declining value to the

railroad. The BNSF indicated that they were considering divesting of their interest in this particular rail corridor and asked if the region would like to consider acquiring the rail corridor rights-of-way to keep it available for transportation uses. In June 2004, PSRC's Executive Board unanimously agreed that this regional rail corridor should be preserved for any number of transportation uses and took an action to communicate to the BNSF that the region was interested in working with BNSF to explore the costs and implications of such corridor acquisition.

In July 2006, the Bellevue Council took action on a BNSF Interest Statement that has assisted in guiding the discussions to date (Attachment 2).

In November 2008, voters approved Sound Transit's ST2 package which includes a \$50 million capital fund for a potential BNSF commuter rail partnership that must be ratified by the end of 2011 or the funds will be reallocated to bus operations along I-405. Sound Transit is to consider release of a Request for Proposals in late summer to solicit partnerships for passenger rail to determine if there is a viable partner to provide such service in the corridor, with a final assessment and recommendation coming to the Board in the summer of 2011. It is unclear how Sound Transit's process and that of the forthcoming County's planning process will be coordinated and sequenced.

In December 2009, the Port of Seattle purchased the corridor from BNSF. At the same time, King County purchased a trail easement for \$1.9 million to preserve the rail banked status of the corridor. The Port's purchase was based upon partner acquisition commitments among several organizations per a Memorandum of Understanding: King County, Port of Seattle, Sound Transit, City of Redmond, Puget Sound Energy and Cascade Water Alliance. King County's share of the purchase agreement represents approximately one-third of the corridor's full value.

Next Steps

Based on input from Council, staff will update the June 2006 Interest Statement for Council review and approval. This updated statement will serve to guide the City's participation in the upcoming process for establishing the future use of the corridor.

ALTERNATIVES: NA

RECOMMENDATION: NA

ATTACHMENTS:

- (1) March 6, 2007 letter to King County and Port of Seattle
- (2) June 2006 Interest Statement

City of
Bellevue



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March 6 , 2007

The Honorable Ron Sims
King County Executive
400 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Re: Bellevue's BNSF Corridor Priorities

Dear Executive Sims:

On behalf of the Bellevue City Council, I am writing to convey the City's early interests in the continued progress towards public preservation by King County of the 42-mile BNSF corridor in East King County. Preservation of this corridor represents a rare and timely opportunity to secure the use of this right-of-way for a variety of public benefits from trails to trains for future generations.

We support the recommendations of the BNSF Advisory Committee convened by PSRC to help provide early direction with regard to the future of this corridor. We support public acquisition of this corridor's right-of-way for a trail in the immediate future, and ultimately, as a transportation/rail corridor.

It is our understanding the corridor will be rail banked according to federal law for future conversion to regional rail or other emerging transportation technologies that would require all the tracks and related facilities to be replaced. We urge you to protect enough right-of-way to preserve our region's future longer-term transportation goals, which could include some type of rail service.

It is essential to preserve the ability for future rail service to be built in a cost effective manner along side a trail. We urge you to design and construct the public trail component with adequate right-of-way to safely accommodate both the trail and future rail or other transportation use without having to rebuild the trail.

As you near what we've heard may be a summer 2007 final purchase agreement, we strongly encourage you to work with our staff to examine and evaluate a number of key intersections along the corridor within downtown Bellevue. Virtually all of our affected intersections are surrounded by proposed or planned redevelopment with significant current traffic volumes and future traffic forecasts of significant congestion.

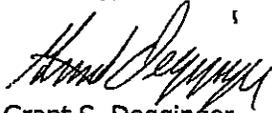
We would like an opportunity to discuss the possibility of grade-separated design alternatives, sensitivity of area utilities in the right-of-way, how to best negotiate nearby possible regional transportation systems needs (i.e., Sound Transit East Link), and trail amenities, including synergistic park concepts and environmental mitigation.

City of Bellevue offices are located at 450 - 110th Avenue N.E.

In addition, the following roadways have current or proposed crossings of the BNSF corridor and will require careful planning and design going forward: NE 10th, NE 8th, NE 6th, NE 4th, and NE 2nd. We are also hopeful that WSDOT will construct a crossing in place of the Wilburton tunnel that is slated to be removed as part of the I-405 expansion program now underway in order to maintain continuity of trail system presumed to advance and the existing wildlife corridor.

Thank you for your time and consideration. We believe it is important that the County include substantive involvement of affected local governments as the planning and design process gets underway. Bellevue's staff will be contacting the King County Department of Natural Resources to begin this early collaboration. We look forward to working with you in coming weeks and months. Please let us know if we can provide you with further information in the near term.

Sincerely,



Grant S. Degginger
Mayor

cc: Bellevue Council
Tay Yoshitani, CEO, Port of Seattle
Goran Sparman, Bellevue Transportation Director
Doug MacDonald, Secretary, Washington State Department of Transportation
Harold Tanaguchi, King County Transportation Director
Joni Earl, CEO, Sound Transit

**CITY OF BELLEVUE INTEREST STATEMENT:
BURLINGTON NORTHERN SANTA FE (BNSF) CORRIDOR PRESERVATION PROJECT**

Final (revised) on July 17, 2006

Background

The Puget Sound Regional Council (PSRC) is the lead agency on a regional corridor study to examine the potential opportunities and implications for the region to acquire and preserve in public ownership nearly 42 railway miles in the rail corridor now owned and operated by the BNSF Railway Company in east King and south Snohomish counties between cities of Renton and Snohomish. Concurrently, King County is negotiating with BNSF Railway Company to purchase the corridor.

The Advisory Committee is considering three action alternative for detailed evaluation concerning near-term public use and benefit:

- (1) Regional Trail [only];
- (2) Trail plus Current Freight Rail (includes dinner train); and,
- (3) Trail plus Redundant/Upgraded Freight Rail.

Study recommendations are to be considered by PSRC's policy boards in 2006 and 2007 and will be similarly incorporated into PSRC's regional transportation plan, Destination 2030, in 2007.

Bellevue's BNSF Preservation Guiding Principles

1. **Public Benefit Opportunity:** The Region should take advantage of this timely and rare opportunity to secure the 42-mile BNSF right-of-way that is currently being abandoned by BNSF for possible future public benefit. The region should carefully evaluate immediate, mid-term and long-term public uses of this right-of-way, including transit options in the longer-term.
2. **Support Public Accountability and Outreach Efforts:** Purchase and preservation of the corridor must be grounded in solid financial and public benefit evaluation and meaningful public involvement.
3. **Ensure Local Plan Consistency:** Should the right-of-way be preserved and a new use be identified, it will be critical that all local and regional plans be closely coordinated to ensure timely and efficient project implementation. For example, preservation plans should be consistent with Bellevue's Comprehensive Plan, specifically, policies supporting integrated trail systems, neighborhood preservation and urban design. Any future uses should also reflect and be consistent with I-405 Corridor FEIS Sound Transit's Long-Range Plan in so far each provided direction related to future acquisition

of the corridor . Finally, any future acquisition and improvements should be considered for inclusion into the federally required Metropolitan Transportation Plan as prepared and routinely updated by the Puget Sound Regional Council.

4. **Ensure Integrated Benefits:** Future improvement of the BNSF corridor through Bellevue should be carefully integrated with redevelopment plans as part of the Bel-Red Corridor Study, related park improvement opportunities and any other affected properties in Bellevue that might benefit from improvements to/surrounding the BNSF right-of-way.
5. **Support Ongoing Regional Collaboration:** Coordination among all regional stakeholders must be sustained (WSDOT, PSRC, King County, Cities along the BNSF Corridor, Sound Transit).

Principles for Evaluating Future Right-of-Way Use Alternatives

Each of the alternatives for future use of the BNSF should evaluate the following key criteria: Project costs (and cost refinements), economic and recreational benefits, community acceptance, public safety, trail connectivity, public liability and mitigation of any dual use conflicts.

Bellevue also supports the following specific direction with regard to each of the three action alternatives. Regardless of which alternative is selected for the short-term, the City's interest is to maintain potential public use of the right-of-way to include transit options for the longer term.

1. **Alternative 1 Trail Only:** The study team should further assess community impacts, planning level cost refinement, economic benefit and connectivity opportunities in Bellevue's jurisdiction. This trail only alternative would preclude any near-term shared use with rail and is considered a baseline assumption for other alternatives currently going forward (alternatives 2, 3).
2. **Alternative 2 Trail with Current Rail:** The study team should further assess community impacts, costs, economic benefit, trail connectivity opportunities, shared right-of-way challenges (shared trail/rail separated by barrier) and liability issues associated with dual use.
3. **Alternative 3: Trail with Increased [Freight] Rail:** This alternative would build on Alternative 1 and 2 and add a redundant north-south freight route between Seattle and Everett for emergency, bypass/back-up use. This alternative should be evaluated for preservation use only, rail and/or another public use related to I-405 Master Plan corridor needs. The study team should carefully evaluate current and future freight needs and should consider preservation of the redundant segment for rail-banking purposes only.